

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

SHEREE LYNN LINCOLN and JAMES
CHARLES REED,

Plaintiffs,

v.

Case No: 2:20-cv-159-JLB-MRM

RONALD ZUL,

Defendant.

ORDER

The Magistrate Judge filed a Report and Recommendation (“R&R”) in this matter on August 5, 2021, recommending that Plaintiffs’ motion for default judgment be granted in part and denied in part. (Docs. 16, 30.) Alternatively, the R&R recommends that the motion for default judgment be denied without prejudice should Plaintiffs move to amend their pleading. (See Doc. 30 at 28–29.)


A district judge may accept, reject, or modify the magistrate judge’s R&R. 28 U.S.C. § 636(b)(1)(C). The factual findings in the R&R need not be reviewed de novo in the absence of an objection, but legal conclusions are always reviewed de novo. Id.; Cooper-Houston v. Southern Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994); Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993).

After an independent review of the record—and noting that no objections have been filed—the Court agrees with the well-reasoned R&R. And because Plaintiffs have neither objected to the R&R’s recommended damages nor moved to amend their pleading, the Court will adopt those recommended damages.

Accordingly, it is **ORDERED**:

1. The Report and Recommendation (Doc. 30) is **ADOPTED** and made a part of this Order for all purposes.
2. Plaintiffs' Motion for Default Judgment Against Defendant Ronald Zul (Doc. 16) is **GRANTED IN PART** and **DENIED IN PART**.
3. The Clerk is **DIRECTED** to enter final default judgment against Defendant Ronald Zul as follows: (a) \$27,774.85 in damages plus pre-judgment interest accruing as of October 15, 2018 at an average monthly rate of 4.25%; (b) \$865 in costs; and (c) post-judgment interest accruing at the statutory rate set forth in 28 U.S.C. § 1961. (See Doc. 30 at 24–29.)
4. The motion for default judgment (Doc. 16) is **DENIED** to the extent it seeks any greater or different relief than this Order grants.
5. The Clerk is further **DIRECTED** to terminate any pending deadlines and close the file.

ORDERED at Fort Myers, Florida, on August 25, 2021


JOHN L. BADALAMENTI
UNITED STATES DISTRICT JUDGE